

FILED

2010 SEP 24 DB

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN.**

**RONNIE E. HENSON and wife,
CAROLE HENSON,**

Plaintiffs,

v.

**GREGORY N. GRAHM and JONES
MOTOR COMPANY, INC.,**

Defendants.

Case No. _____

NOTICE OF REMOVAL

Please take notice that, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, the defendants in this case, Jones Motor Company, Inc. and Gregory N. Graham (collectively, the "Defendants") hereby remove the state court action styled *Henson v. Graham*, case No. 6017, currently pending in the Circuit Court for Cheatam County, Tennessee, to the United States District Court for the Middle District of Tennessee, Nashville Division. The grounds of removal are as follows:

1. On or about August 20, 2010, plaintiffs Ronnie E. Henson and Carole Henson ("Plaintiffs") commenced this action by filing a complaint (the "Complaint") in the Circuit Court for Cheatam County, Tennessee. A true and correct copy of the Summons and the Complaint is attached hereto as Exhibit 1.

2. Plaintiffs are individuals residing in Dickson County, Tennessee.
(Complaint ¶ 1).

3. Jones Motor Company, Inc. is, and has been since the filing of the Complaint, a corporation organized under the laws of the Commonwealth of Pennsylvania and having its principal place of business in the Commonwealth of Pennsylvania. Jones Motor Company, Inc. does not have, and did not have at the time of the filing of the Complaint, its principal place of business in the state of Indiana.

4. Gregory Graham is, and has been since the filing of the Complaint, a citizen of the state of Louisiana.

5. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 because complete diversity of citizenship has existed between the parties at the times of the filing of this action and of removal, and because Plaintiffs have demanded, and the amount of controversy is, more than \$75,000. (*See, e.g., Complaint ¶ 12, et seq.*)

6. Jones Motor Company, Inc. received a copy of the Complaint on August 29, 2010.

7. Defendants file this Notice of Removal under 28 U.S.C. § 1446(b) within thirty (30) days after having received a copy of the initial pleading setting forth Plaintiffs' claims for relief. This Notice of Removal is timely filed.

8. Removal is therefore proper pursuant to 28 U.S.C. §§ 1441 and 1446.

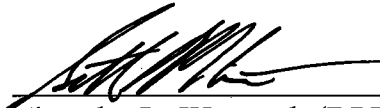
9. Promptly upon the filing of this Notice of Removal, Defendants will provide to Plaintiff a true and correct copy of this Notice of Removal pursuant to 28 U.S.C. § 1446(d).

10. Upon the filing of this Notice of Removal, Defendants will promptly file a Notification of Notice of Removal with the Clerk of the Circuit Court for Cheatham County, Tennessee.

11. Defendants expressly reserve their defenses and claims.

WHEREFORE, Defendants hereby give notice of the removal of this action from the Circuit Court for Cheatham County, Tennessee, to this Honorable Court in accordance with the provisions of 28 U.S.C. §§ 1441 and 1446.

Respectfully submitted,



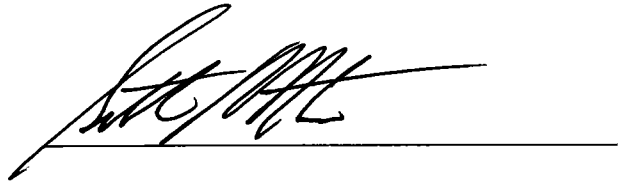
Timothy L. Warnock (BPR # 12844)
Seth M. McInteer (BPR # 26471)
Riley Warnock & Jacobson, PLC
1906 West End Avenue
Nashville, Tennessee 37203
p: 615-320-3700 / f: 615-320-3737
twarnock@rwjplc.com
smcinteer@rwjplc.com

*Attorneys for Defendants Jones Motor
Company, Inc. and Gregory Graham*

CERTIFICATE OF SERVICE

I hereby certify on this the 26th day of September 2010, service of the foregoing document was made upon the following Filing Users through the Electronic Filing System:

Charles L. Hicks BPR # 004548
P.O. Box 959
Camden, Tennessee 38320
731-584-4517

A handwritten signature in black ink, appearing to read "CLH", is written over a horizontal line.